

MAKING OMNIBUS CONSOLIDATED AND
EMERGENCY SUPPLEMENTAL APPROPRIA-
TIONS FOR FISCAL YEAR 2001

CONFERENCE REPORT

TO ACCOMPANY

H.R. 4577



DECEMBER 15, 2000.—Ordered to be printed

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MAKING OMNIBUS CONSOLIDATED AND EMERGENCY
SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2001

DECEMBER 15, 2000.—Ordered to be printed

Mr. YOUNG of Florida, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 4577]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4577) “making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with amendments, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

- (1) H.R. 5656, as introduced on December 14, 2000.*
- (2) H.R. 5657, as introduced on December 14, 2000.*
- (3) H.R. 5658, as introduced on December 14, 2000.*
- (4) H.R. 5666, as introduced on December 15, 2000.*
- (5) H.R. 5660, as introduced on December 14, 2000.*
- (6) H.R. 5661, as introduced on December 14, 2000.*
- (7) H.R. 5662, as introduced on December 14, 2000.*
- (8) H.R. 5663, as introduced on December 14, 2000.*
- (9) H.R. 5667, as introduced on December 15, 2000.*

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section and the text of any other

bill enacted into law by reference by reason of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217, legislation enacted in section 505 of the Department of Transportation and Related Agencies Appropriations Act, 2001, section 312 of the Legislative Branch Appropriations Act, 2001, titles X and XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th Congress), Division B of H.R. 5666 (106th Congress) as enacted by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that would have been estimated by the Office of Management and Budget as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were it included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) In preparing the final sequestration report required by section 254(f)(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal year 2001, in addition to the information required by that section, the Director of the Office of Management and Budget shall change any balance of direct spending and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

This Act may be cited as the "Consolidated Appropriations Act, 2001".

Amend the title of the bill so as to read:

"An Act making consolidated appropriations for the fiscal year ending September 30, 2001, and for other purposes."

And the Senate agree to the same.

JOHN EDWARD PORTER,
C.W. BILL YOUNG,
HENRY BONILLA,
ERNEST J. ISTOOK, Jr.,
DAN MILLER,
JAY DICKKEY,
ROGER F. WICKER,
ANNE M. NORTHUP,
RANDY "DUKE" CUNNINGHAM,
DAVID R. OBEY,
STENY H. HOYER,
NANCY PELOSI,
NITA M. LOWEY,
ROSA L. DELAURIO,
JESSE L. JACKSON, Jr.

(Except elimination of
LIHEAP and CCDBG ad-
vanced funding; immigra-
tion and charitable choice
provisions.)

Managers on the Part of the House.

ARLEN SPECTER,
THAD COCHRAN,
SLADE GORTON,
JUDD GREGG,

KAY BAILEY HUTCHISON,
TED STEVENS,
PETE V. DOMENICI,
TOM HARKIN,
ERNEST F. HOLLINGS,
DANIEL K. INOUE,
HARRY REID,
HERB KOHL,
PATTY MURRAY,
DIANNE FEINSTEIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies, and for other purposes, submit the following joint statement of the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes more than the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001. The conference agreement has been expanded to including the Legislative Branch Appropriations Act, 2001; the Treasury and General Government Appropriations Act, 2001; the Miscellaneous Appropriations Act, 2001; the Commodity Futures Modernization Act of 2000; the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000; the Community Renewal Tax Relief Act of 2000; the New Markets Venture Capital Program Act of 2000; and the Small Business Reauthorization Act of 2000; as well as the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001. The provisions of all of these Acts have been enacted into law by reference in this conference report; however, a copy of the referenced legislation has been included in this statement for convenience.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

The conference agreement would enact the provisions of H.R. 5656 as introduced on December 14, 2000. The text of that bill follows:

A BILL Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

MISCELLANEOUS APPROPRIATIONS

The conference agreement would enact the provisions of H.R. 5666 as introduced on December 15, 2000. The text of that bill follows:

A BILL Making miscellaneous appropriations for the fiscal year ending September 30, 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes namely:

DIVISION A

CHAPTER 1

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, is amended—

(1) In title III, under the heading “Rural Utilities Service, Rural Electrification and Telecommunications Loans Program Account”, after “per year” insert “: Provided further, That not more than \$100,000 shall be available for guarantees of private sector loans”.

(2) In title III, at the end of the first proviso under the “Rural Housing Assistance Grants” account, insert “in Mississippi and Alaska”.

(3) In section 724, by striking “to Hispanic-serving institutions” and all that follows through “maintained by such institutions” and inserting “to eligible grantees specified in subsection (d)(3) of that section”;

(4) In title VIII, under the heading “Rural Community Advancement Program”, by striking “January 1, 2001” and inserting “January 1, 2000”;

(5) In section 806, by inserting “: Provided further, That of the funds made available by this section, the Secretary shall transfer \$5,000,000 to the State of Alabama to be used in conjunction with the program administered by the Alabama Department of Agriculture and Industries: Provided further, That of the funds made available by this section, the Secretary shall transfer not more than \$300,000 to the State of Montana for transportation needs associated with emergency haying and feeding: Provided further, That of the funds made available by this section, the Secretary shall use not more than \$2,000,000 to carry out a program for income losses sustained before April 30, 2001, by individuals who raise poultry owned by other individuals as a result of Poults Enteritis Mortality Syndrome control programs, as determined by the Secretary” after “American Indian Livestock Feed Program”;

(6) In section 815(d)(3), by inserting “affected” after “all”;

(7) In section 830, by striking “Section 401” and inserting “Title IV”.

SEC. 406. (a) The provisions of H.R. 5547 (as enacted into law by H.R. 4942 of the 106th Congress) are repealed and shall be deemed for all purposes (including section 1(b) of H.R. 4942) to have never been enacted.

(b) The repeal made by this section shall take effect as if included in H.R. 4942 of the 106th Congress on the date of its enactment.

CHAPTER 5

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount for "General Investigations", \$900,000, to remain available until expended: Provided, That \$100,000 shall be available for a reconnaissance study of shore protection needs at North Topsail Beach, North Carolina; \$100,000 shall be available for a reconnaissance study for the Passiac County, New Jersey, water infrastructure project; \$100,000 shall be available for a reconnaissance study of flooding, drainage and other related problems in the Cayuga Creek Watershed, New York; and \$600,000 shall be available for a cost-shared feasibility study of the restoration of the lower St. Anthony's Falls natural rapids in Minnesota.

CONSTRUCTION, GENERAL

For an additional amount for "Construction, General", \$2,750,000, to remain available until expended: Provided, That \$75,000 shall be available for planning and design of a project to provide for floodplain evacuation in the watershed of Pond Creek, Kentucky; \$100,000 shall be available for design of recreation and access features at the Louisville Waterfront Park in Kentucky; \$500,000 shall be available for a Limited Reevaluation Report for the Central Boca Raton segment of the Palm Beach County, Florida, shore protection project; and \$75,000 shall be available to conduct research on the eradication of Eurasian water milfoil at Houghton Lake, Michigan: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to use \$2,000,000 of the funds appropriated herein to initiate design and construction of the Hawaii Water Management Project, including Waiahole Ditch on Oahu, Kau Ditch on Maui, Pioneer Mill Ditch on Hawaii, and the complex system on the west side of Kauai: Provided further, That the Secretary of the Army may use up to \$5,000,000 of previously appropriated funds to carry out the Abandoned and Inactive Noncoal Mine Restoration program authorized by section 560 of Public Law 106-53.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for “Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee”, \$3,500,000, to remain available until expended, for prosecuting work of repair, restoration or maintenance of the Mississippi River levees, and for the correction of deficiencies in the mainline Mississippi River levees.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for “Water and Related Resources”, \$2,000,000, to remain available until expended, for construction of the Mid-Dakota Rural Water System, in addition to amounts made available under the Energy and Water Appropriations Development Act, 2001.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For an additional amount for “Energy Supply”, \$800,000, to remain available until expended, for the Prime, LLC, of central South Dakota, for final engineering and project development of the integrated ethanol complex, including an ethanol unit, waste treatment system, and enclosed cattle feed lot.

SCIENCE

For an additional amount for “Science”, \$1,000,000, to remain available until expended, for high temperature superconducting research and development at Boston College.

CHAPTER 6

GENERAL PROVISIONS—THIS CHAPTER

SEC. 601. Of the funds appropriated under the heading Department of State, International Narcotics Control and Law Enforcement, in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, not less than \$1,350,000 shall be available only for the Protection Project to continue its study of international trafficking, prostitution, slavery, debt bondage and other abuses of women and children.

SEC. 602. EMBASSY COMPENSATION AUTHORITY. Funds made available under the heading “Other Bilateral Economic Assistance, Economic Support Fund” included in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 (Public Law 106-429) may be made available, notwithstanding any other provision of law, to provide payment to the government of the

People's Republic of China for property loss and damage arising out of the May 7, 1999 incident in Belgrade, Federal Republic of Yugoslavia.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

LAND ACQUISITION

For an additional amount for "Land Acquisition", \$5,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, to carry out the provisions of title VI of the Steens Mountain Cooperative Management and Protection Act (Public Law 106-399): Provided, That sums necessary to complete the individual land exchanges identified under title VI shall be provided within thirty days of each land exchange.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for "Resource Management", \$500,000 for a grant to the Center for Reproductive Biology at Washington State University.

MULTINATIONAL SPECIES CONSERVATION FUND

For an additional amount for the "Multinational Species Conservation Fund", \$750,000, to remain available until expended, for Great Ape conservation activities authorized by law.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for "Operation of the National Park System", \$100,000 for completion of studies related to the Arlington Boathouse in Virginia.

NATIONAL RECREATION AND PRESERVATION

For an additional amount for "National Recreation and Preservation", \$1,600,000, to remain available until expended, of which \$500,000 is for the National Constitution Center in Philadelphia, Pennsylvania and \$1,100,000 is for a grant to the Historic New Bridge Landing Park Commission.

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund", \$100,000 for a grant to the Massillon Heritage Foundation, Inc. in Massillon, Ohio.

CONSTRUCTION

For an additional amount for "Construction", \$3,500,000, to remain available until expended, of which \$1,500,000 is for the Stones

River National Battlefield and \$2,000,000 is for the Millennium Cultural Cooperative Park.

DEPARTMENT OF ENERGY

ENERGY CONSERVATION

For an additional amount for "Energy Conservation", \$300,000, to remain available until expended, for a grant to the Oak Ridge National Laboratory/Nevada Test Site Development Corporation for the development of (1) cooling, refrigeration, and thermal energy management equipment capable of using natural gas or hydrogen fuels; and (2) improvement of the reliability of heat-activated cooling, refrigeration, and thermal energy management equipment used in combined heating, cooling, and power applications.

RELATED AGENCY

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

PAYMENT TO ENDOWMENT FUND

For payment to the endowment fund of the Woodrow Wilson International Center for Scholars \$5,000,000: Provided, That such funds may be invested in investments approved by the Board of Trustees of the Woodrow Wilson International Center for Scholars and the income from such investments may be used to support the programs of the Center that the Board of Trustees and the Director of the Center determine appropriate.

GENERAL PROVISION—THIS CHAPTER

SEC. 701. In addition to amounts appropriated in Public Law 106-291 to the Indian Health Service under the heading "Indian Health Services", \$30,000,000, to remain available until expended, is appropriated as follows:

(1) \$15,000,000 shall be provided to the Alaska Federation of Natives as a direct lump sum payment within 30 days of enactment of this Act for its Alaska Native Sobriety and Alcohol Control Program: Provided, That the President of the Alaska Federation of Natives shall make grants to each Alaska Native regional non-profit corporation (as listed in section 103(a)(2) of Public Law 104-193 (110 Stat. 2159)) in which there are villages, including established villages and organized cities under state law, that have voted to ban the sale, importation, or possession of alcohol pursuant to local option state law: Provided further, That such grants shall be used to (1) employ Village Public Safety Officers (hereinafter referred to as "VPSO's") under such terms and conditions that encourage retention of such VPSO's and that are consistent with agreements with the State of Alaska for the provision of such VPSO services, (2) acquisition of law enforcement equipment or services, or (3) develop and implement restorative justice programs recognized under state sentencing law as a community based complement or alternative to incarceration or other penalty: Provided further, That funds may also be used for activities and programs to further the sobriety movement including education and treat-

STATE AND TRIBAL ASSISTANCE GRANTS

Grants appropriated under this heading in Public Law 106-74 and Public Law 106-377 for drinking water infrastructure needs in the New York City watershed shall be awarded under section 1443(d) of the Safe Drinking Water Act, as amended.

The referenced statement of the managers under this heading in Public Law 106-377 is deemed to be amended by striking all after the words "City of Liberty" in reference to item number 78, and inserting the words "Town of Versailles, Indiana for wastewater infrastructure improvements".

Under this heading in title III of Public Law 106-377, strike "\$335,740,000" and insert "\$356,370,000": Provided, That such funds shall be for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the statement of managers accompanying Public Law 106-377 and this conference report.

FEDERAL EMERGENCY MANAGEMENT AGENCY

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For an additional amount for "Emergency management planning and assistance", \$100,000,000, to remain available through September 30, 2001, for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), as amended.

CHAPTER 14

GENERAL PROVISIONS—THIS DIVISION

SEC. 1401. H. Con. Res. 234 of the 106th Congress, as adopted by the House of Representatives on November 18, 1999, shall be considered to have been adopted by the Senate.

SEC. 1402. Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

(1) Sections 1105(a), 1106(a) and (b), and 1109(a) of title 31, United States Code, and any other law relating to the budget of the United States Government.

(2) The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(3) Sections 202(e)(1) and (3) of the Congressional Budget Act of 1974 (2 U.S.C. 602(e)(1) and (3)).

(4) Section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 685(e)).

SEC. 1403. (a) GOVERNMENT-WIDE RESCISSIONS.—There is hereby rescinded an amount equal to 0.22 percent of the discretionary budget authority provided (or obligation limit imposed) for fiscal year 2001 in this or any other Act for each department, agency, instrumentality, or entity of the Federal Government, except for those programs, projects, and activities which are specifically exempted elsewhere in this provision: Provided, That this exact reduc-

tion percentage shall be applied on a pro rata basis only to each program, project, and activity subject to the rescission.

(b) *RESTRICTIONS.*—This reduction shall not be applied to the amounts appropriated in Title I of Public Law 106–259: Provided, That this reduction shall not be applied to the amounts appropriated in Division B of Public Law 106–246: Provided further, That this reduction shall not be applied to the amounts appropriated under the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001, as contained in this Act, or in prior Acts.

(c) *REPORT.*—The Director of the Office of Management and Budget shall include in the President’s budget submitted for fiscal year 2002 a report specifying the reductions made to each account pursuant to this section.

DIVISION B

TITLE I

SEC. 101. ELIGIBILITY OF PRIVATE ORGANIZATIONS UNDER CHILD AND ADULT CARE FOOD PROGRAM. (a) Section 17(a)(2)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(a)(2)(B)) is amended by striking “children for which the” and inserting “children, if—

“(i) during the period beginning on the date of enactment of this clause and ending on September 30, 2001, at least 25 percent of the children served by the organization meet the income eligibility criteria established under section 9(b) for free or reduced price meals; or

“(ii) the”.

(b) *EMERGENCY REQUIREMENT.*—

(1) *IN GENERAL.*—The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(2) *DESIGNATION.*—The entire amount necessary to carry out this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 102. SUMMER FOOD PILOT PROJECTS. (a) Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended by adding at the end the following:

“(f) *SUMMER FOOD PILOT PROJECTS.*—

“(1) *DEFINITION OF ELIGIBLE STATE.*—In this subsection, the term ‘eligible State’ means a State in which (based on data available in July 2000)—

“(A) the percentage obtained by dividing—

“(i) the sum of—

“(I) the average daily number of children attending the summer food service program in the State in July 1999; and

cated to tribal use under the Agreement, or to acquire water rights under the laws of the State of Colorado.

“(c) **ACTION BY THE ATTORNEY GENERAL.**—The Attorney General shall file with the District Court, Water Division Number 7, of the State of Colorado, such instruments as may be necessary to request the court to amend the final consent decree to provide for the amendments made to this Act under the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000. The amended final consent decree shall specify terms and conditions to provide for an extension of the current January 1, 2005, deadline for the Tribes to commence litigation of their reserved rights claims on the Animas and La Plata Rivers.

“SEC. 19. STATUTORY CONSTRUCTION; TREATMENT OF CERTAIN FUNDS.

“(a) **IN GENERAL.**—Nothing in the amendments made by the Colorado Ute Settlement Act Amendments of 2000 shall be construed to affect the applicability of any provision of this Act.

“(b) **TREATMENT OF UNCOMMITTED PORTION OF COST-SHARING OBLIGATION.**—The uncommitted portion of the cost-sharing obligation of the State of Colorado referred to in section 6(a)(3) shall be made available, upon the request of the State of Colorado, to the State of Colorado after the date on which payment is made of the amount specified in that section.”.

TITLE IV

SECTION 401. DESIGNATION OF AMERICAN MUSEUM OF SCIENCE AND ENERGY.

(a) **IN GENERAL.**—The Museum—

(1) is designated as the “American Museum of Science and Energy”; and

(2) shall be the official museum of science and energy of the United States.

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Museum is deemed to be a reference to the “American Museum of Science and Energy”.

(c) **PROPERTY OF THE UNITED STATES.**—

(1) **IN GENERAL.**—The name “American Museum of Science and Energy” is declared the property of the United States.

(2) **USE.**—The Museum shall have the sole right throughout the United States and its possessions to have and use the name “American Museum of Science and Energy”.

(3) **EFFECT ON OTHER RIGHTS.**—This subsection shall not be construed to conflict or interfere with established or vested rights.

SEC. 402. AUTHORITY.

To carry out the activities of the Museum, the Secretary may—

(1) accept and dispose of any gift, devise, or bequest of services or property, real or personal, that is—

(A) designated in a written document by the person making the gift, devise, or bequest as intended for the Museum; and

(B) determined by the Secretary to be suitable and beneficial for use by the Museum;

(2) operate a retail outlet on the premises of the Museum for the purpose of selling or distributing items (including mementos, food, educational materials, replicas, and literature) that are—

(A) relevant to the contents of the Museum; and

(B) informative, educational, and tasteful;

(3) collect reasonable fees where feasible and appropriate;

(4) exhibit, perform, display, and publish materials and information of or relating to the Museum in any media or place;

(5) consistent with guidelines approved by the Secretary, lease space on the premises of the Museum at reasonable rates and for uses consistent with such guidelines; and

(6) use the proceeds of activities authorized under this section to pay the costs of the Museum.

SEC. 403. MUSEUM VOLUNTEERS.

(a) **AUTHORITY TO USE VOLUNTEERS.**—The Secretary may recruit, train, and accept the services of individuals or entities as volunteers for services or activities related to the Museum.

(b) **STATUS OF VOLUNTEERS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), service by a volunteer under subsection (a) shall not be considered Federal employment.

(2) **EXCEPTIONS.**—

(A) **FEDERAL TORT CLAIMS ACT.**—For purposes of chapter 171 of title 28, United States Code, a volunteer under subsection (a) shall be treated as an employee of the Government (as defined in section 2671 of that title).

(B) **COMPENSATION FOR WORK INJURIES.**—For purposes of subchapter I of chapter 81 of title 5, United States Code, a volunteer described in subsection (a) shall be treated as an employee (as defined in section 8101 of title 5, United States Code).

(c) **COMPENSATION.**—A volunteer under subsection (a) shall serve without pay, but may receive nominal awards and reimbursement for incidental expenses, including expenses for a uniform or transportation in furtherance of Museum activities.

SEC. 404. DEFINITIONS.

For purposes of this Act:

(1) **MUSEUM.**—The term “Museum” means the museum operated by the Secretary of Energy and located at 300 South Tulane Avenue in Oak Ridge, Tennessee.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Energy or a designated representative of the Secretary.

TITLE V—LOWER MISSISSIPPI RIVER REGION

SEC. 501. SHORT TITLE.

This title may be cited as the “Delta Regional Authority Act of 2000”.

SEC. 502. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

agency or instrumentality of the United States Government may—

“(A) establish criteria for making such determination;

“(B) review the determination made by the certifying school, school board, local educational agency, library, or other authority; or

“(C) consider the criteria employed by the certifying school, school board, local educational agency, library, or other authority in the administration of subsection (h)(1)(B).

“(3) *AVAILABILITY FOR REVIEW.*—Each Internet safety policy adopted under this subsection shall be made available to the Commission, upon request of the Commission, by the school, school board, local educational agency, library, or other authority responsible for adopting such Internet safety policy for purposes of the review of such Internet safety policy by the Commission.

“(4) *EFFECTIVE DATE.*—This subsection shall apply with respect to schools and libraries on or after the date that is 120 days after the date of the enactment of the Children’s Internet Protection Act.”.

SEC. 1733. IMPLEMENTING REGULATIONS.

Not later than 120 days after the date of enactment of this Act, the Federal Communications Commission shall prescribe regulations for purposes of section 254(l) of the Communications Act of 1934, as added by section 1732 of this Act.

Subtitle D—Expedited Review

SEC. 1741. EXPEDITED REVIEW.

(a) *THREE-JUDGE DISTRICT COURT HEARING.*—Notwithstanding any other provision of law, any civil action challenging the constitutionality, on its face, of this title or any amendment made by this title, or any provision thereof, shall be heard by a district court of 3 judges convened pursuant to the provisions of section 2284 of title 28, United States Code.

(b) *APPELLATE REVIEW.*—Notwithstanding any other provision of law, an interlocutory or final judgment, decree, or order of the court of 3 judges in an action under subsection (a) holding this title or an amendment made by this title, or any provision thereof, unconstitutional shall be reviewable as a matter of right by direct appeal to the Supreme Court. Any such appeal shall be filed not more than 20 days after entry of such judgment, decree, or order.

This Act may be cited as the “Miscellaneous Appropriations Act, 2001”.

MISCELLANEOUS APPROPRIATIONS

Following is explanatory language on H.R. 5666, as introduced on December 15, 2000.

The conferees on H.R. 4577 agree with the matter included in H.R. 5666 and enacted in this conference report by reference and the following description of it.

DIVISION A

CHAPTER 1

GENERAL PROVISIONS—THIS CHAPTER

The conference agreement includes language which: provides that not more than \$100,000 shall be available for guarantees of private sector rural electrification and telecommunications loans; clarifies that a housing demonstration program is to be carried out in Mississippi and Alaska; clarifies that the Initiative for Future Agriculture and Food Systems shall be used to make grants only to colleges, universities, or research foundations maintained by a college or university; makes a technical correction to the Rural Community Advancement Program to specify that funds may be used in counties which have received an emergency designation after January 1, 2000; provides certain transfers under the livestock assistance program; clarifies eligibility for quality losses; clarifies that Emergency Conservation Program funds previously appropriated for the Cerro Grande fire can be made available for drought benefits; clarifies a provision regarding payments to producers that suffered losses because of the insolvency of an agriculture cooperative in the State of California; provides that Burley, Flue-cured, and Cigar Binder Type 54-55 tobacco will be treated identically for loan forfeiture purposes; and establishes an effective date for a provision of the Agricultural Risk Protection Act of 2000 regarding limitations on Burley tobacco quota adjustments. The effective date of these provisions is the date of enactment of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001.

The conference agreement includes a section maintaining the eligibility of certain rural areas for U.S. Department of Agriculture rural housing programs.

The conference agreement includes a section that authorizes a study on the feasibility of including ethanol, biodiesel, and other bio-based fuels as part of the Strategic Petroleum Reserve.

The conference agreement includes a section that makes the City of Wilson, NC, eligible for certain U.S. Department of Agriculture rural development programs.

The conference agreement includes a section that provides \$26,000,000 for the Environmental Quality Incentives Program.

The conference agreement includes a section regarding the operation of the ongoing bovine tuberculosis eradication program. The intent of the conferees is that funding for this program, which is financed through the Commodity Credit Corporation, shall provide a total of not less than \$60,259,000.

The conferees expect that, in developing any consumer guidance regarding mercury exposure from seafood consumption, the Department of Health and Human Services will rely upon the results of more than one relevant study. The Secretary is directed to submit a report to the Committees on Appropriations by February 28, 2001, on any actions regarding a consumer advisory on this subject.

The conferees urge USDA's Animal and Plant Health Inspection Service (APHIS) to uphold approved sanitary and

Sec. 404. The conference agreement includes a new section concerning the Reserve Fund for the District of Columbia established pursuant to the District of Columbia Appropriations Act, 2001 (Public Law 106-522, approved November 22, 2000).

Sec. 405. The conference agreement includes a new section that conforms the enrollment count of the District of Columbia charter schools with existing District of Columbia law.

Sec. 406. The conference agreement amends H.R. 4942 by repealing the District of Columbia Appropriations Act, 2001, as contained therein. Since this appropriations Act has already been enacted in H.R. 5633 (Public Law 106-428) including it in H.R. 4942 is no longer necessary.

CHAPTER 5

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

The conference agreement includes an additional \$900,000 for General Investigations. Of the funds provided, \$100,000 is for a reconnaissance study of shore protection needs at North Topsail Beach, North Carolina; \$100,000 is for a reconnaissance study for a water infrastructure project in Passaic County, New Jersey; \$100,000 is for a reconnaissance study of flooding, drainage, and other related problems in the Cayuga Creek Watershed, New York; and \$600,000 is for a cost-shared feasibility study of the restoration of the lower St. Anthony's Falls natural rapids in Minnesota.

CONSTRUCTION, GENERAL

The conference agreement includes an additional \$2,750,000 for Construction, General. Of the funds provided, \$75,000 shall be available for planning and design of a project to provide for flood-plain evacuation in the watershed of Pond Creek, Kentucky; \$100,000 shall be available for the design of recreation and access features at the Louisville Waterfront Park in Kentucky; \$75,000 shall be available for research on the eradication of Eurasian water milfoil in Houghton Lake, Michigan; and \$500,000 shall be available for a Limited Reevaluation Report for the Central Boca Raton segment of the Palm Beach County, Florida, shore protection project. The conferees are concerned that the utter lack of sand on some stretches of beach in Boca Raton is negatively impacting the local economy that is dependent on tourism. Therefore, the conferees recommend that the Corps of Engineers proceed as expeditiously as possible to renourish the beach in Boca Raton.

In addition, \$2,000,000 of the funds provided shall be available to initiate design and construction of the Hawaii Water Management Project, including Waiahole Ditch on Oahu, Kau Ditch on Maui, Pioneer Mill Ditch on Hawaii, and the complex system on the west side of Kauai.

In addition, language has been included which provides that the Secretary of the Army may use up to \$5,000,000 of previously appropriated funds to carry out the Abandoned and Inactive Noncoal Mine Restoration program authorized by section 560 of Public Law 106-53.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

The conference agreement includes an additional \$3,500,000 for Flood Control, Mississippi River and Tributaries to be used for the repair, restoration or maintenance of Mississippi River levees and for the correction of deficiencies in the mainline Mississippi River levees.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

The conference agreement includes an additional \$2,000,000 for Water and Related Resources for construction of the Mid-Dakota Rural Water System project in South Dakota.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

The conference agreement includes an additional \$800,000 for Energy Supply for the Prime, LLC, of central South Dakota, for final engineering and project development of the integrated ethanol complex, including an ethanol unit, waste treatment system, and enclosed cattle feed lot.

SCIENCE

The conference agreement includes an additional \$1,000,000 for Science for high temperature superconducting research and development at Boston College.

CHAPTER 6

GENERAL PROVISIONS—THIS CHAPTER

Sec. 601. The conference agreement mandates that not less than \$1,350,000 from funds appropriated under this heading in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, shall be available only for the Protection Project to continue its study of international trafficking, prostitution, slavery, debt bondage and other abuses of women and children.

Sec. 602. Embassy Compensation Authority.—The conference agreement contains language that authorizes the use of funds appropriated to the account “Economic Support Fund” in Public Law 106-429 for payment to the government of the People’s Republic of

China for property loss and damage arising out of the May 7, 1999 incident in Belgrade, Federal Republic of Yugoslavia. These funds may be made available notwithstanding any other provision of law.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

LAND ACQUISITION

The conference agreement provides \$5,000,000 for land exchanges authorized by Title VI of the Steens Mountain Cooperative Management and Protection Act.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The conference agreement provides \$500,000 for a grant to the Center for Reproductive Biology at Washington State University for basic research on reproduction abnormalities that could be causing reductions in salmon in the Columbia/Snake River system due to presence of high estrogen levels in the water. The research may also be beneficial to human health conditions affected by the same water borne chemicals.

MULTINATIONAL SPECIES CONSERVATION FUND

The conference agreement provides \$750,000 for recently authorized Great Ape conservation activities.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides \$100,000 for the National Capital Region to complete a feasibility study and select a preferred alternative site for constructing a boathouse in Arlington County, Virginia.

The Department of Justice, in cooperation with the City of Alexandria and the National Park Service, is encouraged to seek expeditious settlement with the remaining six landowners on the Alexandria, Virginia waterfront to achieve the urban land use and design objectives of the city and the National Park Service in bringing this longstanding lawsuit to resolution. In settling these claims, the Justice Department should use, to the extent authorized by law, the permanent judgment appropriation established pursuant to 31 U.S.C. 1304 as the source of any compensation to the landowners that may be required.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides \$1,600,000 for National Recreation and Preservation. Within the statutory aid account, \$500,000 is specifically for continued activities at the National Constitution Center in Philadelphia, Pennsylvania. The remaining \$1,100,000 is for a grant to the Historic New Bridge Landing Park

Commission for acquisition of land immediately adjacent to the Historic New Bridge Landing, which is a site listed on the National Register of Historic Places and is a site of historic significance in the revolutionary war.

HISTORIC PRESERVATION FUND

The conference agreement provides \$100,000 to be provided to the Massillon Heritage Foundation, Inc. in Massillon, Ohio. The Secretary is directed to provide this grant as soon as possible for critical repair and replacement needs.

CONSTRUCTION

The conference agreement provides \$3,500,000 for construction. Within that amount \$1,500,000 is for reconstruction and renovation at the Stones River National Battlefield and \$2,000,000 is for the Millennium Cultural Cooperative Park in Ohio.

DEPARTMENT OF ENERGY

ENERGY CONSERVATION

The conference agreement provides \$300,000 for a grant to the Oak Ridge National Laboratory/Nevada Test Site Development Corporation. These funds will be used to develop cooling, refrigeration, and thermal energy management equipment capable of using natural gas or hydrogen fuels, and to improve the reliability of heat-activated cooling, refrigeration, and thermal energy management equipment used in combined heating, cooling, and power applications.

RELATED AGENCY

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

PAYMENT TO ENDOWMENT FUND

The conference agreement provides \$5,000,000 for the endowment fund of the Woodrow Wilson International Center for Scholars.

GENERAL PROVISION—THIS CHAPTER

Section 701 appropriates \$30 million to the Indian Health Service, of which \$15 million is for Alaska Native alcohol control and sobriety programs and \$15 million is for drug and alcohol prevention and treatment for non-Alaska tribes.

CHAPTER 8

GENERAL PROVISIONS—THIS CHAPTER

The conference agreement provides funding to the Health Resources and Services Administration in the Department of Health and Human Services, for the construction of the Christian Nurses Hospice in Brentwood, New York (\$400,000).

FEDERAL EMERGENCY MANAGEMENT AGENCY

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

Language is included which provides \$100,000,000 for new fire fighting programs as authorized by the Federal Fire Prevention and Control Act, as amended.

CHAPTER 14

GENERAL PROVISIONS—THIS CHAPTER

The conference agreement includes the adoption of H. Con. Res. 234 by the Senate.

The conference agreement includes a new provision relating to the application of the Federal Reports Elimination and Sunset Act of 1995 to certain reports.

The conferees direct the Comptroller General of the United States to (1) ascertain the ownership of the West Campus Buildings of the Saint Elizabeth's Hospital complex in the District of Columbia; (2) review and comment on existing cost estimates for mothballing/stabilization, phase II environmental mediation, phase II archaeological study, environmental impact study, and land use study; (3) report on any existing historic designations and corresponding responsibilities; and (4) identify action required to facilitate transfer of the property. The conferees request that the report be completed and submitted to the House and Senate Committees on Appropriations within 45 days of the enactment of this Act.

The conference agreement includes a new provision rescinding 0.22 percent of the discretionary budget authority provided (or obligation limit imposed) for fiscal year 2001, except for those programs, projects, and activities which are specifically exempted. The provision exempts from rescission the Military Personnel accounts of the Department of Defense Appropriations Act, 2001, and fiscal year 2001 amounts for activities funded in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act.

DIVISION B

TITLE I

The conference agreement includes a section that provides greater availability of food assistance in day care centers by modifying eligibility criteria in the Child and Adult Care Food Program.

The conference agreement includes a section to authorize a pilot program through the Summer Food Service Program to examine whether reducing burdensome paperwork would increase the availability of food assistance for children during the summer who, during the school year, have access to meals through the School Lunch Program.

The conference agreement includes language which authorizes the Secretary of the Interior to conduct a feasibility study for a Sacramento River, California, diversion project.

The conference agreement includes language which modifies the authorization for the Saint Francis River Basin, Missouri and

Center to be treated under existing law the same as the other ten Medicare/PPS exempt institutions in the United States.

The conference agreement includes language which provides that the Secretary of the Army may establish a pilot program to provide environmental assistance to non-Federal interests in northern Wisconsin.

TITLE II—VIETNAM EDUCATION FOUNDATION ACT OF 2000

This title enacts a bill to establish a Vietnam Education Foundation, to provide fellowships for Vietnamese to study in the United States at the graduate and post-graduate level in the sciences, math, and medicine. It would also support American professors to teach these subjects in appropriate Vietnamese institutions. The bill authorizes an appropriation of \$5,000,000 in fiscal year 2001. Beginning in FY2002, the Secretary of the Treasury would transfer \$5,000,000 annually to the Foundation from debt repayments that Vietnam has agreed to make to the United States in settlement of debt incurred prior to 1976 by the Republic of South Vietnam. The Foundation can also solicit and accept private funds.

TITLE III—COLORADO UTE SETTLEMENT ACT AMENDMENTS OF 2000

The conference agreement includes the text of S. 2508, the Colorado Ute Settlement Act Amendments of 2000.

TITLE IV—DESIGNATION OF AMERICAN MUSEUM OF SCIENCE AND ENERGY

The conference agreement includes language which will permit the American Museum of Science and Energy located in Oak Ridge, Tennessee, to accept and use donations, fees, and gifts to offset the cost of operating the facility.

TITLE V—DELTA REGIONAL AUTHORITY ACT OF 2000

The conference agreement includes language which authorizes the Delta Regional Authority.

TITLE VI—DAKOTA WATER RESOURCES ACT OF 2000

The conference agreement includes the text of S. 623, the Dakota Water Resources Act of 2000.

TITLE VII

The conference agreement includes an Act authorizing the construction of a Reconciliation Place in Fort Pierre, South Dakota.

TITLE VIII—ERIE CANALWAY NATIONAL

HERITAGE CORRIDOR

The conference agreement includes an Act to designate the Erie Canalway a National Heritage Corridor.